IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CRIMINAL REVISION PETITION NO. 1089/2002

DAULAT RAM Vs. STATE OF RAJASTHAN & ANR.

DATE: 15.03.2007.

HON'BLE MR. K.S. RATHORE, J.

Mr. Dinesh yadav for the accused-petitioner.
Mr. B.S. Chhaba, Public Prosecutor for the State.

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The present criminal revision petition under Section 397 Cr.P.C. is preferred by the accused-petitioner against the order dated 29.08.2002 passed by the Additional District & Sessions Judge, Bandikui in Criminal Revision No. 61/2002 whereby the revision petition filed by the petitioner has been dismissed on the ground of jurisdiction and against the order dated 22.05.2002 whereby cognizance has been taken against the accused-petitioner for the offence under Sections 341, 323, 325 IPC and Section 3 of the SC/ST (Prevention of Atrocities) Act, 1989.

Without approaching appropriate forum and jurisdiction, the accused-petitioner has preferred this revision petition on the ground that the petitioner Dault Ram was not present at the time of the incident

and was working at Secretariat and marked his attendance on the date and to this effect certificate of attendance has been shown to the trial Court, but the same has not been considered on the ground that this certificate has been procured just to save accused-petitioner Daulat Ram.

I have heard rival submissions of the respective parties and have also gone through the impugned orders.

At the stage of cognizance, it is only to be seen whether prima-facie case is made out or not, and the trial Court has observed that prima-facie case is made out against the petitioner for the offence under Sections 341, 323, 325 IPC and Section 3 of the SC/ST Act and, therefore, cognizance has been taken under against the accused-petitioner for the aforesaid offences.

I find no illegality or error apparent on the face of the record in the impugned order passed by the trial Court. It is for the petitioner to represent his case during trial and have a liberty to produce the documents which are relied by the petitioner at the time of trial, but at this stage, as per the settled preposition of law no interference whatsoever is required by this Court.

Consequently, the revision petition fails and the same is hereby dismissed.

(K.S. RATHORE),J.

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